

By: Dutton

H.B. No. 75

A BILL TO BE ENTITLED

AN ACT

relating to safety measures for culverts or other similar flood or drainage systems maintained by governmental entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act shall be known as Logan's Law.

SECTION 2. Chapter 756, Health and Safety Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. CULVERTS OR OTHER DRAINAGE SYSTEMS

Sec. 756.151. DUTY OF GOVERNMENTAL ENTITY. (a) A state or local governmental entity shall ensure that the intake to each culvert or other enclosed flood or drainage system that the entity is responsible for maintaining is protected by a bar, grate, or other appropriate covering sufficient to ensure that a child may not be swept into the system.

(b) A state or local governmental entity shall ensure that a sign warning of the hazard for a child, including the danger for injury or drowning, is clearly posted at the intake to each culvert or other enclosed flood or drainage system that the entity is responsible for maintaining.

(c) A state or local governmental entity shall ensure that each culvert or other enclosed flood or drainage system that the entity is responsible for maintaining has a hinged opening or other type of opening and closing mechanism to permit emergency services personnel to access the system.

1 SECTION 3. Not later than January 1, 2007, a state or local
2 governmental entity shall ensure that each culvert or other
3 enclosed flood or drainage system maintained by the entity complies
4 with the requirements of Section 756.151, Health and Safety Code,
5 as added by this Act.

6 SECTION 4. This Act takes effect December 1, 2005.